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6 Attorney for Renato Consuegra-Clemente

7 **UNITED STATES DISTRICT COURT**
8 **DISTRICT OF NEVADA**

9 UNITED STATES OF AMERICA,

10 Plaintiff,

11 v.

12 RENATO CONSUEGRA-CLEMENTE,

13 Defendant.
14

Case No. 2:20-cr-00018-JCM-EJY

**NOTICE OF INTENT TO PLEAD
GUILTY WITHOUT A PLEA
AGREEMENT**

15 Renato Consuegra-Clemente, through counsel, submits the following Notice of Intent
16 to Plead Guilty Without a Plea Agreement and the attached Memorandum in Support.

- 17 1. There is no plea agreement between the parties.
- 18 2. Mr. Consuegra-Clemente intends to enter a plea of guilty to the charges in the
- 19 Indictment (ECF No. 1), Conspiracy to Distribute a Controlled Substance and Distribution of
- 20 a Controlled Substance in violation of 21 U.S.C. §§846, 841(a), 841(b)(1)(A)(viii),
- 21 841(b)(1)(B)(viii).
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MEMORANDUM IN SUPPORT

I. CHARGE

Mr. Consuegra-Clemente is charged with one count of Conspiracy to Distribute a Controlled Substance and two counts of Distribution of a Controlled Substance in violation of 21 U.S.C. §§846, 841(a). ECF No. 1.

II. ELEMENTS OF THE OFFENSE

A. Conspiracy to Distribute

To find Mr. Consuegra-Clemente guilty of Conspiracy to Distribute a Controlled Substance under 21 U.S.C. §§846, 841(a), 841(b)(1)(A)(viii), the government needs to prove the following essential elements¹ of the offense beyond a reasonable doubt:

First, beginning from a time unknown and continuing to on or about October 30, 2019, there was an agreement between two or more persons to distribute methamphetamine; and

Second, the defendant joined in the agreement knowing of its purpose and intending to help accomplish that purpose.

Third, the amount of the controlled substance was 500 grams or more of a mixture and substance containing a detectable amount of methamphetamine.

B. Distribution of a Controlled Substance

To find Mr. Consuegra-Clemente guilty of Distribution of a Controlled Substance under 21 U.S.C. §§ 841(a), 841(b)(1)(A)(viii), 841(b)(1)(B)(viii), the government needs to prove the following essential elements² of the offense beyond a reasonable doubt:

First, the defendant knowingly distributed methamphetamine; and

¹ See Ninth Cir. Manual of Model Jury Instr., Criminal 12.5 (2022 Ed.).

² See Ninth Cir. Manual of Model Jury Instr., Criminal 14.15 (2022 Ed.).

1 Second, the defendant knew that it was methamphetamine.

2 **III. FACTS TO SUPPORT THE GUILTY PLEA**

3 Beginning from a time unknown and continuing to on or about October 30, 2019,
4 there was an agreement between Mr. Consuegra-Clemente and others to distribute
5 methamphetamine. On October 23, 2019, Mr. Consuegra-Clemente sold 50 grams or more of
6 a mixture and substance containing a detectable amount of methamphetamine. On October
7 30, 2019, Mr. Consuegra-Clemente sold 500 grams or more of a mixture and substance
8 containing a detectable amount of methamphetamine.

9
10 DATED this 25th day of May 2022.

11 RENE L. VALLADARES
12 Federal Public Defender

13 By: /s/ Katherine Tanaka

14 KATHERINE TANAKA
15 Assistant Federal Public Defender
16 Attorney for Renato Consuegra-Clemente
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CERTIFICATE OF ELECTRONIC SERVICE

The undersigned hereby certifies that she is an employee of the Federal Public Defender for the District of Nevada and is a person of such age and discretion as to be competent to serve papers.

That on May 25, 2022, she served an electronic copy of the above and foregoing Notice of Intent to Plead Guilty Without a Plea Agreement by electronic service (ECF) to the person named below:

JASON FRIERSON
United States Attorney
ALLISON REESE
Assistant United States Attorney
501 Las Vegas Blvd. South
Suite 1100
Las Vegas, NV 89101

/s/ Rosana Aporta
Employee of the Federal Public Defender